

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

WAYMO LLC,

Plaintiff,

vs.

UBER TECHNOLOGIES, INC.;  
OTTOMOTTO LLC; OTTO TRUCKING  
LLC,

Defendants.

CASE NO. 3:17-cv-00939-WHA

**[PROPOSED] ORDER TO SHOW CAUSE  
WHY DEFENDANTS SHOULD NOT BE  
HELD IN CONTEMPT OF THE  
PRELIMINARY INJUNCTION ORDER  
(Dkt. 426) AND EXPEDITED  
DISCOVERY ORDER (Dkt. 61) AND  
EXHIBITS 3, 5, AND 6 THERETO**

1 Plaintiff Waymo LLC's ("Waymo") has moved for an Order directing Defendants Uber  
 2 Technologies, Inc.; OttoMotto LLC; and Otto Trucking LLC to appear and Show Cause why they  
 3 should not be held in contempt of the Court's Preliminary Injunction Order (Dkt. 426) and  
 4 Expedited Discovery Order (Dkt. 61).

5 Having considered Waymo's motion, the memorandum of points and authorities, and  
 6 supporting declaration, the Court GRANTS the motion as follows:

7 **TO DEFENDANTS UBER TECHNOLOGIES, INC.; OTTOMOTTO LLC; AND**  
 8 **OTTO TRUCKING LLC: YOU ARE HEREBY ORDERED TO APPEAR AND**  
 9 **SHOW CAUSE**

10 on July 27, 2017, at 8:00 a.m. in the United States District Court for the Northern District of  
 11 California, San Francisco Division, Courtroom 8, 19th Floor, located at 450 Golden Gate Avenue,  
 12 San Francisco California, if there be any, why the Court should not hold each of the Defendants in  
 13 civil contempt and issue sanctions for the following:

14 (1) failing to "exercise the full extent of their corporate, employment, contractual, and other  
 15 authority" to cause their agent Stroz Friedberg to return all materials in Stroz Friedberg's  
 16 possession that Anthony Levandowski downloaded from Waymo's servers;

17 (2) failing to timely notify Waymo and the Court about the apparent destruction of five  
 18 discs of downloaded materials;

19 (3) failing to "exercise the full extent of their corporate, employment, contractual, and other  
 20 authority" to cause their agent, Morrison & Foerster, LLP ("MoFo") to return the  
 21 downloaded materials; and

22 (4) failing to "exercise the full extent of their corporate, employment, contractual, and other  
 23 authority" to cause Otto Trucking's officer, Mr. Levandowski, to return the downloaded  
 24 materials.

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1 Defendants shall file any written response to the Motion for Order to Show Cause no later  
2 than \_\_\_\_\_ a.m./p.m. on \_\_\_\_\_, 2017.

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4 **IT IS SO ORDERED.**

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6 Dated: \_\_\_\_\_, 2017

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8 HON. WILLIAM ALSUP  
9 United States District Court Judge  
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